

  
Randal S. Mashburn  
U.S. Bankruptcy Judge



Dated: 4/25/2018

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF TENNESSEE

In Re:

Case No. 3:16-bk-08398

Donald Ernest Brandt fdba Brandt Enterprises dba Blue Grey  
Downs fdba Wilbur Group dba Brandt Rentals fdba Brandt and  
Father dba Brandt Enterprises dba Big City Dogs dba Ernies  
Lawncare & Maintenance,

Chapter 11

Judge Randal S. Mashburn

Debtor.

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**AGREED ORDER RESOLVING BOTH THE MOTION FOR RELIEF FROM THE AUTOMATIC STAY OF  
SECTION 362 OR IN THE ALTERNATIVE ADEUATE PROTECTION AND ABANDONMENT OF THE  
PROPERTY AND THE OBJECTION TO CONFIRMATION OF THE DEBTOR'S PLAN SOLELY AS IT  
RELATES TO THE REAL PROPERTY LOCATED AT 410-C JACK MILLER BLVD, CLARKSVILLE,  
TENNESSEE 37042**

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This matter came before the Court on the Creditor's Motion for Relief from the Automatic Stay of Section 362 or in the Alternative Protection and Abandonment of the Property filed at Docket No. [107] on the 23<sup>rd</sup> day of June, 2017. Additionally, the Creditor filed an Objection to Confirmation of the Debtor's Plan Docket No. [218], and this Agreed Order resolves the Objection at Docket Entry 218 solely as it relates to the property at 410-C Jack Miller Road, and that the objection remains pending as to the other claims mentioned therein. The parties would stipulate and agree as follows:

WHEREAS, the above-referenced Debtor commenced a voluntary case under Chapter 11 of the United States Bankruptcy Code on November 22, 2016;

WHEREAS, the Creditor, Federal National Mortgage Association ("Fannie Mae"), Creditor C/O Seterus, Inc. is a secured Creditor, filed a secured claim on January 24<sup>th</sup>, 2017 in the amount of \$45,625.60, secured by a first lien through a Deed of Trust on certain real property known as 410-C Jack Miller Blvd, Clarksville, Tennessee 37042.

WHEREAS the parties agree the Debtor's Chapter 11 Plan is hereby amended under the terms of this agreement. The claim of Federal National Mortgage Association ("Fannie Mae"), Creditor C/O Seterus, Inc. as listed above shall be allowed in the amount of \$41,712.09.

WHEREAS the secured claim shall bear interest at a fixed rate of 5.25% per annum. The claim shall be amortized over 20 years. Principal and interest shall be payable monthly beginning the first day of the month following the effective date. The principal and interest payment shall be \$281.07.

WHEREAS the Debtor further is required to keep all collateral fully insured showing said Creditor as loss payee and to pay the ongoing real estate property taxes as they accrue.

Accordingly, it is ORDERED that this agreement between the parties to resolve the Motion filed by Federal National Mortgage Association ("Fannie Mae"), Creditor C/O Seterus, Inc. be and is made the Order of this Court.

It is further ORDERED that if the Debtor defaults in any provision listed in this Order, by either failing to confirm the Debtor's plan of reorganization, withdrawing the Debtor's plan of reorganization, or failing to maintain payments in accordance with the plan following the effective date, the Movant shall have immediate relief from the automatic stay without further Court Order or proceeding with respect to the subject property, without further hearing or action before the Court;

It is further ORDERED that the service of this Agreed Order, as required by the Local Rules shall be made by the Debtor.

**THIS ORDER WAS SIGNED AND ENTERED ELECTRONICALLY AS INDICATED AT THE TOP OF THE FIRST PAGE.**

/s/ Kyle Stewart

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/s/ Steven L. Lefkovitz

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This Order has been electronically  
signed. The Judge's signature and  
Court's seal appear at the top of the  
first page.  
United States Bankruptcy Court.